

REMARKS

Applicant wishes to thank the Examiner James Myhre for taking the time to conduct the respective telephone interview on May 24, 2005. In the office action mailed on May 5, 2005, claims 27 and 29 - 37 were rejected under 35 U.S.C. §102(e) over U.S. Patent No. 6,141,530 (to Rabowsky); and claims 28 and 29 were rejected under 35 U.S.C. §103(a) over Rabowsky.

As discussed during the telephone interview on May 24, 2005, the present invention involves, in part, *automatically developing a schedule of advertisements* to be shown at each of a plurality of actual movie showings. While the Rabowsky reference is directed toward the distribution of cinema files (that include both a movie and a trailer) in accordance with a pre-determined schedule, the present invention is directed toward automatically *determining a schedule* of pre-show advertisements based on certain criteria as identified in the claims. The Rabowsky reference does not appear to disclose how the initial schedule is determined for either the trailer or for the movie. The Rabowsky reference, in short, is directed more toward providing a cinema file delivery and display system.

Although the Rabowsky reference states that the theatre operator may modify the schedule, for example, by inserting locally-generated materials such as advertisements for local businesses (Rabowsky, col. 12, lines 17 - 28), the Rabowsky reference includes no automated system for developing a schedule. The system disclosed in Rabowsky simply permits an operator to manually modify an existing schedule.

As claimed in claim 27, the system includes, in part:

automated selection means for *selecting* a plurality of selected actual movie showings from said plurality of actual movie showings associated with a plurality of selected job requests from said plurality of job requests using a computer processing system *to determine a schedule* associated with each said selected actual movie showing such that each selected actual movie showing

includes at least one of a movie genre, a movie rating, a showing location, a movie showing time, a movie release start date and a movie release end date *in common with* a movie genre, a movie rating, a showing location, a movie showing time, a movie release start date and a movie release end date of an associated advertising schedule request of each selected job request; and

presentation means for *presenting* an advertisement associated with each selected job request at each associated selected actual movie showing *in accordance with the associated schedule*.

Claim 27, lines (emphasis added).

The Rabowsky reference includes no system for automatically selecting data to develop a schedule. At best, the Rabowsky reference discloses manually selecting trailers based on movie title. There is no *automated selection* of advertisements disclosed in the Rabowsky reference.

Each of claims 28 - 37 depends directly or indirectly from claim 27 and further limits the subject matter of claim 27. In particular, claim 28 requires that a plurality of selected job requests are selected associated with each selected actual movie showing. Claim 29 requires that a plurality of selected actual movie showings are selected associated with each selected job request. Claim 30 requires that the system includes a movie attendance feedback unit for receiving data representative of information regarding a number of people attending each selected actual movie showing. Claim 31 requires an exposure log generation unit for recording data representative of the presentation of advertisements associated with the selected job requests. Claims 32 - 34 relate to specific requirements regarding the audience common interest data. Claims 35 and 36 relate to the assembly of the output as a plurality of frames. Claim 37 requires that the system provide an exposure report. Each of claims 27 - 37 is, therefore, considered to be in condition for allowance.

As claimed in claim 38, the system includes, in part:

automated scheduling means for *determining a schedule* for each of said actual movie showings using a computer processing system, each such schedule including data identifying data representative of content from a selected plurality of job requests such that each actual movie showing associated with each schedule includes audience common interest data *that matches* at least some of the data representative of a content schedule request included with each associated selected job request; and

a plurality of presentation assemblies, each of which *presents content in accordance with the schedule* associated with each of said plurality of actual movie showings at a plurality of associated locations.

Claim 38, lines (emphasis added).

The Rabowsky reference includes no system for automatically determining a schedule.

Again, there is no *automated selection* of advertisements disclosed in the Rabowsky reference.

Each of claims 39 - 42 depends directly from claim 38 and further limits the subject matter of claim 38. Claim 39 requires that each schedule includes an entire presentation in advance of a movie to be shown. Claim 40 requires that the automated scheduling means includes duplicate resolution means for identifying any of duplicate content within a schedule of content. Claim 41 requires an attendance feedback means for receiving data representative of information regarding the number of people attending each selected actual movie showing. Claim 42 requires an exposure log generation means for recording data representative of the presentation of content associated with each selected job request. Each of claims 38 - 42 is, therefore, considered to be in condition for allowance.

As claimed in claim 43, the method includes, in part the steps of:

processing said common interest data and said data representative of advertising schedule requests using a computer processing system *to determine a schedule* for each of said plurality of actual movie showings, each such schedule including data associated with a plurality of job requests such that each actual movie showing associated with each schedule includes audience common interest data *that matches* at least some of the data representative of an advertising schedule request included with each associated job request; and

presenting advertisements *in accordance with the schedule* associated with each of said plurality of actual movie showings at a plurality of associated locations.

Claim 43, lines (emphasis added).

Again, the Rabowsky reference includes no method for automatically processing data to determine a schedule. Each of claims 44 - 47 depends directly from claim 43 and further limits the subject matter of claim 43. Claim 44 requires that the step of processing the common interest data and the data representative of schedule requests to determine a schedule for each actual movie showing involves determining an entire presentation in advance of a movie that is to be shown at the associated actual movie showing. Claim 45 requires the step of receiving data representative of information regarding a number of people attending each of the plurality of actual movie showings. Claim 46 requires the step of generating an exposure log that includes data representative of the presentation of advertisements associated with the plurality of job requests that are associated with each schedule for each of the plurality of actual movie showings. Each of claims 43 - 47 is, therefore, considered to be in condition for allowance.

Each of claims 27 - 47 is therefore considered to be in condition for allowance.

Favorable action consistent with the above is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'W. E. Hilton', is written over a horizontal line.

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